



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,001	11/21/2001	Futoshi Hachimura	B422-176	6301

26272 7590 09/18/2006

COWAN LIEBOWITZ & LATMAN P.C.
JOHN J TORRENTE
1133 AVE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

CHAI, LONGBIT

ART UNIT PAPER NUMBER

2131

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,001

Applicant(s)

HACHIMURA, FUTOSHI

Examiner

Longbit Chai

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-14,16-19 and 21-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-14,16-19 and 21-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Original application contained claims 1 – 30. Presently, pending claims are 1, 3 – 6, 8 – 14, 16 – 19 and 21 – 30.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/2/2006 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3 – 6, 8 – 14, 16 – 19 and 21 – 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Wright et al. (U.S. Patent 2002/0016910).

As per claim 1, 13, 14, 26 – 30, Wright teaches a communication system having a server for providing a Web E-mail service to a Web browser (Wright: Para [0054] Line 12 – 16 and Para [0064] Line 1 – 7) of a client, wherein said server comprises:

management means for managing a key for decrypting an encrypted E-mail message addressed to a user's mail address (Wright: Para [0058] and Para [0064] Line 1 – 7), the E-mail message being encrypted by public key corresponding to the user's mail address (Wright: Para [0074] Line 13 – 15), wherein the secret key corresponding to the user's mail address for decrypting the encrypted E-mail message is not managed by the Web browser of the client (Wright: Para [0058]: the security key can be managed by the server; instead of the client).

web encryption communication means for establishing a Web encryption communication with the client, and communicating with the client by the Web encryption communication established by said web encryption communication means (Wright: Para [0054] Line 12 – 16, Para [0064] Line 1 – 7 and Para [0056]).

authentication means for executing authentication of a use of allowance of the key managed by said management means to the client when the Web browser of the client requests to decrypt the encrypted E-mail message (Wright: Para [0020] Line 1 – 10);

decrypting means for making a decrypted message by decrypting said encrypted E-mail message using the secret key managed by said management means is authenticated by said authentication means, the secret key corresponding to the user's mail address, in the case where the allowance of the secret key managed by said

Art Unit: 2131

management means is authenticated by said authentication means (Wright: Para [0020]

Line 1 – 10, Para [0058] and Para [0060]: the security key can be managed by the server; instead of the client and the client requires to be authenticated by correct key-phrase); and

transmission control means for controlling to transmit the decrypted E-mail message decrypted by said decrypted means to the client through the Web encryption communication established by said web encryption communication means (Wright: Para [0064] Line 1 – 7, Para [0020] Line 1 – 10 and Para [0058] Last sentence: to deliver the E-mail across the network such as internet URL (HTTP) over the network to deliver the message to the client and the decryption of the message / document can be done at the 3rd party, such as a server as an alternative).

As per claim 3 and 16, Wright teaches said authentication means provides said client with a window data to authenticate the use allowance of the managed key (Wright: Para [0058] and Para [0054]: web-based application must be window-oriented).

As per claim 4 and 17, Wright teaches said authentication means authenticates the use allowance using a passphrase inputted from said client (Wright: Para [0020]).

As per claim 5 and 18, Wright teaches said authentication means authenticates the use allowance based on a biometrics information of a user inputted from said client (Wright: Para [0015]).

As per claim 6 and 19, Wright teaches said web encryption communication means establishes the Web encryption communication with the client by using SSL (Wright: Para [0056]).

As per claim 8 and 21, Wright teaches teaches said authentication means authenticates the use allowance of the managed key during a session of the Web encryption communication continuously established between said client and a server (Wright: Para [0056]).

As per claim 9 and 22, Wright teaches said authentication means stops said authenticated use allowance, in the case where at least either the case where said encryption communication is ended with an error or the case where said encryption communication has passed a fixed time is satisfied (Wright: Para [0056] – This is part of the typical features for encrypted web communication HTTP / SSL layer that is also described in the specification of the instant application (SPEC: Page 14 Line 6 – 14)).

As per claim 10 and 23, Wright teaches said server further comprises signature means for executing a digital signature to an E-mail required for the digital signature by said client (Wright: Para [0015]).

As per claim 11 and 24, Wright teaches managing whether said key is under multiple use, an said management means comprises stop means for stopping the use

Art Unit: 2131

allowance of said session under multiple use in the case where said session is judged to be under multiple use (Wright: Para [0007]: the private key is unique to a specific user).

As per claim 12 and 25, Wright teaches the key for decrypting said encrypted E-mail is a secret key in a code of a public key cryptosystem (Wright: Para [0020]).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

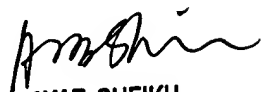
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


LBC

Longbit Chai
Examiner
Art Unit 2131


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100